

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

KIMBALL AREA PUBLIC SCHOOL, ISD No.  
739,

Civil File No. 23-cv-2637 (NEB/LIB)

Plaintiff/Counter  
Defendant,

v.

**DECLARATION OF MARGARET  
O'SULLIVAN KANE**

I.R.M., by and through his parent, L.M.,

Defendants/Counter Claimants.

Margaret O'Sullivan Kane, under penalty of perjury, hereby declare:

1. I am the attorney representing the Counter Claimants in the above-captioned proceeding;
2. Counter Claimants served upon Counter Defendant's expert, Kenneth Young, a Notice of Taking Deposition Duces Tecum on December 13, 2024 for a deposition scheduled on January 14, 2025;
3. On January 3, 2025, Counter Defendant informed Counter Claimants that Kenneth Young was not available January 14, 2025;
4. To accommodate Counter Defendant and its expert schedule, Counter Claimants agree to rescheduled the deposition to February 12, 2025;
5. Counter Defendant does not oppose the motion or that the motion may be decided on the pleadings;
6. The parties have met and conferred but are unable to stipulate to the extension because of the limitations established in the second scheduling order;
7. The appearance for the motion to extend the deadline for Kenneth Young is February 11, 2025; and
8. Without an order from the Court permitting the extension, Kimball's counsel will not permit Kenneth Young to attend the deposition scheduled the following morning for February 12, 2025.

FURTHER I DECLARE NOT.

Date: January 22, 2025

/s/ Margaret O'Sullivan Kane  
Margaret O'Sullivan Kane/ID 0220243